

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00344-MR-WCM**

DAVID L. SETTLEMYER, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	<u>ORDER</u>
)	
BORG-WARNER MORSE TEC,)	
LLC, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court *sua sponte*.

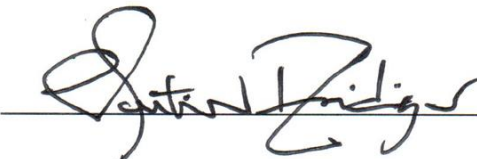
On December 12, 2019, the Plaintiffs initiated this products liability action against a number of Defendants, including CertainTeed Corporation. [Doc. 1]. Prior to the initiation of this action, CertainTeed Corporation went through an internal corporate restructuring. As a result of that restructuring, CertainTeed Corporation ceased to exist, and a new entity, DBMP LLC, a North Carolina limited liability company ("DBMP"), succeeded to certain assets and liabilities of CertainTeed Corporation, including the asbestos liabilities alleged in this case. [See Docs. 12, 13]. On February 3, 2020, DBMP filed a Notice with the Court indicating that it had filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code on

January 23, 2020. [Doc. 66]. The Court thereafter stayed this action with respect to DBMP/CertainTeed Corporation. [Doc. 67]. Since that time, the other Defendants sued in this action have been dismissed. Thus, the only claims remaining in this action are the Plaintiff's claims against Defendant DBMP LLC, as successor to certain assets and liabilities of CertainTeed Corporation.

Accordingly, **IT IS, THEREFORE, ORDERED** that, within fourteen (14) days of the entry of this Order, the parties shall file a report with the Court advising of the status of DBMP's bankruptcy case. A status report shall be filed every ninety (90) days thereafter until such time as the bankruptcy matter is closed.

IT IS SO ORDERED.

Signed: January 25, 2022

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

